

BLANK ROME LLP

A Pennsylvania LLP

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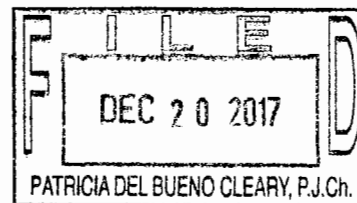
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Attorneys for Plaintiff Michelle Breitenbach



Michelle Breitenbach,

Plaintiff,

v.

Insys Therapeutics, Inc.,

Defendant.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: MONMOUTH COUNTY

Docket No.: C-210-17

Civil Action

ORDER TO SHOW CAUSE

THIS MATTER having been brought before this Court by Nicholas C. Harbist, Esquire, for Plaintiff Michelle Breitenbach ("Ms. Breitenbach"), by way of summary action pursuant to R. 4:67-1(a) seeking an order to compel Defendant Insys Therapeutics, Inc. ("Insys") to pay outstanding legal fees, pay a retainer, and to continue to fund Ms. Breitenbach's legal fees and costs in connection with the New Jersey Attorney General's investigation and other state and federal investigations of Insys, based upon the facts set forth in the Verified Complaint, and the Court having considered the accompanying memorandum of law, for good cause shown and having determined that this matter may be commenced by Order to Show Cause as a summary proceeding;

IT IS on this 20 day of December 2017, **ORDERED** that Insys appear and show cause before the Superior Court, Chancery Division, Monmouth County, 71 Monument Street, Freehold, New Jersey, at 1:30 o'clock in the afternoon or as soon thereafter as counsel can be heard, on the 16 day of Jan 2018 why a Judgment and Order should not be issued:

- a. Directing Insys to pay all outstanding legal fees incurred to date by Ms. Breitenbach as a result of her representation by Blank Rome LLP in connection with the New Jersey Attorney General's investigation and other state and federal investigations of Insys within ten (10) days;
- b. Directing Insys to continue to pay legal fees and costs to be incurred by Ms. Breitenbach in connection with the New Jersey Attorney General's investigation and other state and federal investigations of Insys within thirty (30) days of submission;
- c. Directing Insys to pay a retainer of \$50,000 to Blank Rome within ten (10) days to be applied to the final bill;
- d. Directing Insys to pay all legal fees and costs incurred with the filing and presentation of this matter; and
- e. Such other and further relief as the Court deems just and reasonable.

IT IS FURTHER ORDERED that:

1. A copy of this Order to Show Cause, the Memorandum of Law in Support of the Order to Show Cause, Verified Complaint, and accompanying certifications submitted in support of Plaintiff's application be served upon Defendant within 10 days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.

2. Plaintiff must file with the court its proof of service of the pleadings on Defendant no later than three (3) days before the return date.

3. Defendant shall file and serve a written response to this Order to Show Cause and request for entry of injunctive relief and proof of service by January 5, 2017. The original documents must be filed with the Clerk of the Superior Court in the county listed above. A directory of these offices is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

You must send a copy of your opposition papers directly to the Honorable Patricia M. Buono Cleary, Superior Court of New Jersey, Chancery Division,

Hall of Records 1 E. Main St.
Monmouth County ~~Courthouse, 71 Monument Street~~, Freehold, New Jersey 07728. You must also send a copy of your opposition papers to Plaintiff's attorney whose name and address appears above. A telephone call will not protect your rights; you must file your opposition and pay the required fee of \$_____ and serve your opposition papers on your adversary, if you want the Court to hear your opposition to the injunctive relief Plaintiff is seeking.

4. If Defendant does not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that Plaintiff files proof of service and a proposed form of order at least three days prior to the return date.

5. If Plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the court no later than three (3) days before the return date.

6. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live or the New Jersey Statewide Hotline of 1-888-LSNJ-LAW (1-888-576-552). A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by one of the Lawyer Referral Services. A list of these numbers is also provided.

7. The Court will entertain argument, but not testimony, on the return date of the order to show cause, unless the Court and parties are advised to the contrary no later than 3 days before the return date.

Patricia DelBueno Cleary
Hon. Patricia Del Bueno Cleary